REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the following remarks.

Presently, the Applicants have amended Claims 41 and 58. No other claims have been amended, canceled nor added. Accordingly, Claims 41-50, 52-53, 55-67, 69 and 70 are currently pending in the application.

I. Rejection of Claims 41-42, 47, 58-59 and 64 under 35 U.S.C. §102

The Examiner has rejected Claims 41-42, 47, 58-59, and 64 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,936,335 to Clerc ("Clerc"). Independent Claims 41 and 58 currently include at least one lens array placed within a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space.

Clerc, in contrast, is directed to an electron gun having a grid. (Title) As shown in FIG.4, and discussed in the related text, Clerc requires that a grid 23 be placed between a cathode 21 and an anode 25. As those skilled in the art are aware, the space between the cathode 21 and the anode 25 contains a substantial electric field that creates an acceleration space for the electrons to accelerate from the cathode 21 to the front surface of the anode 25. Because the space where Clerc's grid 23 is located contains a substantial electrical field, it provides for a substantial amount of acceleration of the electrons therein. Accordingly, the grid 23 of Clerc is not located within the drift space, as claimed and defined by the present invention, but is located in an acceleration space.

Therefore, Clerc does not disclose each and every element of the claimed invention and as such, is not an anticipating reference. Because Claims 42, 47, 59 and 64 are dependent upon Claims 41 and 58, Clerc also cannot be an anticipating reference for Claims 42, 47, 59 and 64. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to these Claims.

II. Rejection of Claims 48-50, 52, 55-57, 65-67 and 69 under 35 U.S.C. §103

The Examiner has rejected Claims 48-50, 52, 55-57, 65-67 and 69 under 35 U.S.C. §103(a) as being unpatentable over Clerc in view of U.S. Patent No. 4,553,064 to Amboss ("Amboss"). The Applicants established above that Clerc fails to disclose that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space. Given the detailed teaching of Clerc that its grid 23 be placed directly in the acceleration space, which is opposite to being placed in the drift space, Clerc also fails to suggest this element.

The Examiner has offered Amboss for several teachings of several dependent claims, including multiple grids, a continuous foil, 40-90% transmission, and other features. Notwithstanding whether Amboss teaches or suggest the elements of the dependent claims, Amboss fails to teach or suggest the claimed element that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space. As the Examiner is well aware, a teaching of the elements of the dependent claims is

quite different from a teaching or suggestion that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space, as currently claimed. Accordingly, Amboss also fails to teach or suggest this claimed element.

Thus Clerc, alone or in combination with Amboss, fails to teach or suggest the invention recited in independent Claims 41 and 58 and their dependent claims, when considered as a whole. Accordingly, the references fail to establish a prima facie case of obviousness with respect to those claims. Claims 48-50, 52, 55-57, 65-67 and 69 are therefore not obvious in view of Clerc and Amboss.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 48-50, 52, 55-57, 65-67 and 69 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

III. Rejection of Claims 43-46, 53, 60-63, and 70 under 35 U.S.C. §103

The Examiner has rejected Claims 43-46, 53, 60-63, and 70 under 35 U.S.C. §103(a) as being unpatentable over Clerc in view of U.S. Patent No. 5,376,792 to Schamber ("Schamber"). The Applicants established above that Clerc fails to teach or suggest that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space. Schamber also fails to teach or suggest this claimed element.

The Examiner has offered Schamber for several teachings of several dependent claims,

including a linear tube and/or an EBES tool. Notwithstanding whether Schamber teaches or suggest the elements of these dependent claims, Schamber fails to teach or suggest the claimed element that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space. As the Examiner is well aware, a teaching of the elements of these dependent claims is quite different from a teaching or suggestion that at least one lens array is placed in a drift space, the drift space being a region that, during operation, is substantially free of electric field lines/gradients such that motion of electrons in the electron beam are not altered when the electrons pass through the drift space, as currently claimed. Accordingly, Schamber also fails to teach or suggest this claimed element.

Thus Clerc, alone or in combination with Schamber, fails to teach or suggest the invention recited in independent Claims 41 and 58 and their dependent claims, when considered as a whole. Accordingly, the references fail to establish a prima facie case of obviousness with respect to those claims. Claims 43-46, 53, 60-63, and 70 are therefore not obvious in view of Clerc and Schamber.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 43-46, 53, 60-63, and 70 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

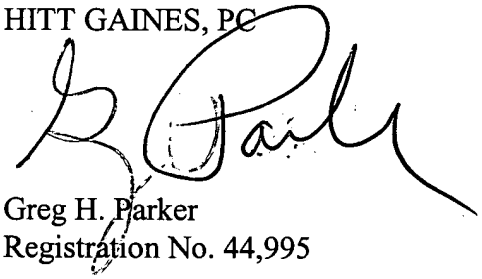
IV. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 41-50, 52-53, 55-67, 69 and 70.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to deposit account 08-2395.

Respectfully submitted,

HITT GAINES, PC



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